

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JEREMY LEVIN and DR. LUCILLE LEVIN,

Plaintiffs,

-v-

THE BANK OF NEW YORK MELLON,
JPMORGAN CHASE & CO., JPMORGAN
CHASE BANK, N.A., SOCIÉTÉ
GÉNÉRALE, and CITIBANK, N.A.,

Defendants.

Civ. No. 09 CV 5900 (JPO)

**DECLARATION OF SUZELLE M.
SMITH IN SUPPORT OF THE LEVIN
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT WITH
RESPECT TO THE TAJIDEEN
BLOCKED ASSET**

JPMORGAN CHASE BANK, N.A.,

Counterclaim-Plaintiff,

-v-

JEREMY LEVIN and DR. LUCILLE LEVIN,

Counterclaim-Defendants.

JPMORGAN CHASE BANK, N.A.,

Third-Party Plaintiffs,

-v-

KASSIM TAJIDEEN, AMERICAN LIFE
INSURANCE COMPANY – LEBANON
BRANCH, KEITH STANSELL, MARC
GONSALVES, THOMAS HOWES, JUDITH
G. JANIS, CHRISTOPHER T. JANIS,
GREER C. JANIS, MICHAEL J. JANIS,
JONATHAN N. JANIS, TERANCE J.
VALORE, JUANITA R. GOLDFARB, AS
PERSONAL REPRESENTATIVE OF THE
ESTATE OF DAVID L. BATTLE, MARY V.
HERNANDEZ, AS PERSONAL

REPRESENTATIVE OF THE ESTATE OF
MATILDE HERNANDEZ, JR., ROBERT
MUFFLER, JR., AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
JOHN MUFFLER, JUTTA YARBER, AS
PERSONAL REPRESENTATIVE OF THE
ESTATE OF JAMES YARBER, RONALD L.
TISHMACK, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
JOHN JAY TISHMACK, CELIA WALKER,
AS PERSONAL REPRESENTATIVE OF
THE ESTATE OF LEONARD WARREN
WALKER, DOROTHY C. WINT, AS
PERSONAL REPRESENTATIVE OF THE
ESTATE OF WALTER EMERSON WINT,
JR., PEDRO ALVARADO, JR., ANDRES
ALVARADO TULL, ANGEL ALVARADO,
GERALDO ALVARADO, GRISSELLE
ALVARADO, LUIS ALVARADO, LUISA
ALVARADO, MARIA ALVARADO,
MARTA ALVARADO, MINERVA
ALVARADO, YOLANDA ALVARADO,
ZORAIDA ALVARADO, DENNIS JACK
ANDERSON, FLOYD CARPENTER,
MICHAEL HARRIS, BENNIE HARRIS,
ROSE HARRIS, DONALD R. PONTILLO,
DEBORAH TRUE, DOUGLAS PONTILLO,
LEONORA PONTILLO, JOHN E. SELBE,
ELOISE F. SELBE, BELINDA SKARKA,
DON SELBE, JAMES SELBE, WILLY G.
THOMPSON, ALLISON THOMPSON,
IFALINE THOMPSON, CHERYL BASS,
JOHNNY THOMPSON, WANDA FORD,
ORLANDO MICHAEL VALORE, SR.,
ORLANDO M. VALORE, JR., JANICE
VALORE, MARCY LYNN PARSON,
TIMOTHY BROOKS, EDWARD J.
BROOKS, PATRICIA A. BROOKS, BILLY
G. ASEMANI, SETH CHARLES (KLEIN)
BEN HAIM, BERNARD (KLEIN) BEN
HAIM, LAVI (KLEIN) BEN HAIM, DIANA
CAMPUZANO, AVI ELISHIS, GREGG
SALZMAN, JENNY RUBIN, DEBORAH
RUBIN, DANIEL MILLER, ABRAHAM
MENDELSON, STUART E. HERSH,
RENAY FRYM, NOAM ROZENMAN,

ELENA ROZENMAN, TZVI ROSENMAN, SUSAN WEINSTEIN, INDIVIDUALLY AND AS COADMINISTRATOR OF THE ESTATE OF IRA WILLIAMS WEINSTEIN, JEFFREY MILLER, AS CO-ADMINISTRATOR OF THE ESTATE OF IRA WILLIAMS WEINSTEIN, JOSEPH WEINSTEIN, JENNIFER WEINSTEIN HAZI, DAVID WEINSTEIN, SHLOMO LEIBOVITCH AND GALIT LEIBOVITCH, AS GUARDIANS OF SHIRA LEIBOVITCH, A MINOR, SHLOMO LEIBOVITCH, GALIT LIEBOVITCH, MOSHE LEIBOVITCH, HILA LEIBOVITCH, SHMUEL ELIAD, MIRIAM ELIAD, JEFFREY BODOFF, AS ADMINISTRATOR OF THE ESTATE OF YONATHAN BARNEA, SHLOMIT BARNEA, URI BARNEA, TAMARA BARNEA, NACHUM BARNEA, SHMUEL BRAUN, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CHAYA ZISSEL BRAUN, ESTATE OF CHAYA ZISSEL BRAUN, CHANA BRAUN, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CHAYA ZISSEL BRAUN, ESTHER BRAUN, MURRAY BRAUN, SARA HALPERIN, SHIMSHON HALPERIN, CHAIM KAPLAN, RIVKA KAPLAN, ARYE KAPLAN, MENACHEM KAPLAN, CHANA KAPLAN, MUSHKA KAPLAN, EFRAIM KAPLAN, BRIAN ERDSTEIN, KARENE ERDSTEIN, MAYAN ERDSTEIN, NOA ERDSTEIN, NETIYA ERDSTEIN, ARIEL ERDSTEIN, CHAYIM KUMER, NECHAMA KUMER, MALKA KUMER, CHANA KUMER, LAURIE RAPPEPORT, MARGALIT RAPPEPORT, MICHAEL FUCHS, THEODORE GREENBERG, MOREEN GREENBERG, JARED SAUTER, DANIELLE SAUTER, DVORA KASZEMACHE, CHAYA ALKAREIF, AVISHAI REUVANE, ELISHEVA ARON, YAIR MOR, MIKIMI STEINBERG, MYRA MANDEL, ESTATE OF DONALD J. HAVLISH, JR., ALAN GU,

DIANE ROMERO ALEXANDER ROWE,
ALICE CARPENETO, ANGELA
STERGIOPOULOS, ANNE MARIE DORF,
BARRY RUSSIN, BENEFIT OF DEVON
MARIE RODAK, BENEFIT OF MARANDA
C. RATCHFORD, BRENDA SORENSON,
BRIAN COLLMAN, CATHERINE
DEBLIECK, CHARLES COLLMAN,
CHELSEA NICOLE RODAK, CHRISTINA
BANE-HAYES, CHRISTINE BARTON
(NOW PENCE), CHRISTINE PAPASSO,
CHRISTOPHER CAPRONI, CLARA
CHIRCHIRILLO, CORAZON
FERNANDEZ, DANIEL D. COFFEY, M.D.,
DIANE ROMERO, DOLORES CAPRONI,
DONALD BANE, DONALD HAVLISH, SR.,
DOYLE RAYMOND WARD, DWAYNE W.
COLLMAN, ED RUSSIN, ELLEN
SARACINI, ESTATE OF ANDREW
STERGIOPOULOS, ESTATE OF BRIAN
NUNEZ, ESTATE OF DANIEL M.
COFFEY, ESTATE OF DENIS LAVELLE,
ESTATE OF DORTHY MAURO, ESTATE
OF EDWARD W. STRAUB, ESTATE OF
ELVIN ROMERO, ESTATE OF GEORGE
ERIC SMITH, ESTATE OF JAMES D.
HALVORSON, ESTATE OF JASON
COFFEY, ESTATE OF JEANMARIE
WALLENDORF, ESTATE OF JEFFREY
COALE, ESTATE OF JEFFREY COLLMAN,
ESTATE OF JENNIFER TINO, ESTATE OF
JOHN GRAZIOSO, ESTATE OF JOHN M.
RODAK, ESTATE OF JOHN WILLIAM
PERRY, ESTATE OF JOSEPH
LOSTRANGIO, ESTATE OF JOSHUA
SCOTT REISS, ESTATE OF JUDY
FERNANDEZ, ESTATE OF LIMING GU,
ESTATE OF LINDA ELLEN PANIK,
ESTATE OF MARIA THERESA
SANTILLIAN, ESTATE OF MARSHA
DIANAH RATCHFORD, ESTATE OF
MARTIN BORYCZEWSKI, ESTATE OF
MARY MELENDEZ, ESTATE OF META
WALLER, ESTATE OF MICHAEL A.
BANE, ESTATE OF MICHAEL
BORYCZEWSKI, ESTATE OF MICHAEL

DIEHL, ESTATE OF PAUL K. SLOAN,
ESTATE OF PETER CHIRCHIRILLO,
ESTATE OF PETER T. MILANO, ESTATE
OF PHILIP PAUL OGNIBENE, ESTATE OF
RICHARD M. CAPRONI, ESTATE OF
RICHARD ROSENTHAL, ESTATE OF
ROBERT LEVINE, ESTATE OF RONALD
GAMBOA, ESTATE OF SALVATORE T.
PAPASSO, ESTATE OF SCOTT
SCHERTZER, ESTATE OF STEPHEN
DORF, ESTATE OF STEVEN CAFIERO,
ESTATE OF TIMOTHY P. SOULAS,
ESTATE OF TIMOTHY RAYMOND
WARD, ESTATE OF VICTOR SARACINI,
ESTATE OF VINCENT A. OGNIBENE,
ESTATE OF WILLIAM R. GODSHALK,
ESTATE OF WILLIAM R. STEINER,
ESTATE OF YVETTE NICHOLE
MORENO, ESTER SANTILLIAN,
EXPEDITO SANTILLIAN, FIONA
HAVLISH, FRANCES M. COFFEY, FUMEI
CHIEN, GEORGE STERGIOPOULOS,
M.D., GERALD BINGHAM, GLORIA
RUSSIN, GRACE KNESKI, GRACE M.
PARKINSON-GODSHALK, GUARDIAN
OF ANNE C. SARACINI, HAOMIN JIAN,
HELEN ROSENTHAL, HUI-CHIEN CHEN,
HUI-CHUAN JIAN, HUI-ZON JIAN,
HUICHUN JIAN, IVY MORENO, JIN LIU,
JOAN E. TINO, JOANNE GORI, JOANNE
LOVETT, JOANNE RENZI, JOHN RODAK,
JOSEPH DORF, JOSLIN ZEPLIN, JOYCE
ANN RODAK, JUDITH REISS, JULIA
BORYCZEWSKI, KATHERINE SOULAS,
KEVIN M. COFFEY, KRYSTYNA
BORYCZEWSKI, LEONA ZEPLIN,
LEONARD ZEPLIN, LINDA SAMMUT,
LISA CAPRONI-BROWN, LIVIA
CHIRCHIRILLO, LOISANNE DIEHL,
LOREN ROSENTHAL, MARGARET
MAURO, MARIE ANN PAPROCKI,
MARSHEE R. RATCHFORD, MARTIN
PANIK, MARY LYNN-ANNA PANIK
STANLEY, MAUREEN HALVORSON,
MAUREEN R. HALVORSON, MICHAEL
CAPRONI, MICHAEL LOGUIDICE,

MICHELE BORYCZEWSKI, MICHELLE WRIGHT, MORRIS DORF, PAMELA SCHIELE, PATRICIA J. PERRY, PATRICIA MILANO, PAUL SCHERTZER, RALPH S. MAERZ, RAMON MELENDEZ, RAYMOND DOYLE SMITH, REGINA MARIA MERWIN, REGINA RODAK, RICHARD A. CAPRONI, ROBERT DORF, RODNEY M. RATCHFORD, RODNEY RATCHFORD, RONALD S. SLOAN, RONI LEVINE, RUSSA STEINER, SANDRA STRAUB, STEPHEN L. CARTLEDGE, SUSAN CONKLIN, TARA BANE, TERESANNE LOSTRANGIO, TINA GRAZIOSO, WILLIAM COALE, WILLIAM HAVLISH, ESTATE OF SIAVASH BAYANI, FATEMEH BAYANI, BANAFSHEH BAYANI, BABAK BAYANI, SHERYL WULTZ, YEKUTIEL "TULY" WULTZ, AMANDA WULTZ, ESTATE OF DANIEL WULTZ, MATI GILL, ESTATE OF MICHAEL HEISER, FRAN HEISER (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MICHAEL HEISER), GARY HEISER (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MICHAEL HEISER), ESTATE OF BRENT MARTHALER, KATIE LEE MARTHALER (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BRENT MARTHALER), HERMAN MARTHALER, SHARON MARTHALER, MATTHEW MARTHALER, KIRK MARTHALER, RICHARD WOOD, KATHLEEN WOOD, SHAWN WOOD, DENISE EICHSTAEDT, ANTHONY CARTRETTE, LEWIS CARTRETTE, ESTATE OF PATRICK FENNIG, THADDEUS C. FENNIG (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF PATRICK FENNIG), CATHERINE FENNIG (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF PATRICK FENNIG), PAUL FENNIG, MARK FENNIG, ESTATE

OF CHRISTOPHER ADAMS, CATHERINE ADAMS (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CHRISTOPHER ADAMS), MARY YOUNG, DANIEL ADAMS, ELIZABETH WOLF, PATRICK ADAMS, JOHN ADAMS, WILLIAM ADAMS, MICHAEL ADAMS, ESTATE OF THANH "GUS" NGUYEN, CHRISTOPHER NGUYEN (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF THANH "GUS" NGUYEN), SANDRA M. WETMORE, BRIDGET BROOKS, JAMES RIMKUS, ANNE RIMKUS, ESTATE OF KENDALL KITSON, JR., KENDALL KITSON, SR. (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF KENDALL KITSON, JR.), NANCY R. KITSON (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF KENDALL KITSON, JR.), STEVE K. KITSON, NANCY A. KITSON, LAWRENCE TAYLOR, VICKIE TAYLOR, STARLINA TAYLOR, ESTATE OF JOSHUA WOODY, DAWN WOODY (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JOSHUA WOODY), BERNADINE BEEKMAN, TRACY SMITH, JONICA WOODY, TIMOTHY WOODY, ESTATE OF LELAND "TIM" HAUN, IBIS "JENNY" HAUN (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF LELAND "TIM" HAUN), SENATOR HAUN, MILLY PEREZ-DALLIS, ESTATE OF CHRISTOPHER LESTER, CECIL LESTER, SR. (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CHRISTOPHER LESTER), JUDY LESTER (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CHRISTOPHER LESTER), CECIL LESTER, JR., JESSICA LESTER, ESTATE OF KEVIN JOHNSON, SR., SHYRL JOHNSON

(INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF KEVIN JOHNSON, SR.), KEVIN JOHNSON, JR., NICHOLAS JOHNSON, ESTATE OF PETER MORGERA, MICHAEL MORGERA (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF PETER MORGERA), THOMAS MORGERA, ESTATE OF MILLARD "DEE" CAMPBELL, MARIE CAMPBELL (INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MILLARD "DEE" CAMPBELL), BESSIE CAMPBELL, ESTATE OF JUSTIN WOOD, ESTATE OF EARL CARTRETTE, JR., ESTATE OF BRIAN MCVEIGH, ESTATE OF JOSEPH E. RIMKUS, ESTATE OF JEREMY TAYLOR, JAMES WETMORE, GEORGE BEEKMAN, CHE COLSON, LAURA JOHNSON, BRUCE JOHNSON, STEVEN M. GREENBAUM, STEVEN M. GREENBAUM (AS ADMINISTRATOR OF THE ESTATE OF JUDITH GREENBAUM), ALAN D. HAYMAN, SHIRLEE HAYMAN, CARLOS ACOSTA, MARIA ACOSTA, TOVA ETTINGER, IRVING FRANKLIN (ON HIS OWN BEHALF AND AS ADMINISTRATOR OF THE ESTATE OF THE LATE IRMA FRANKLIN), BARUCH KAHANE, LIBBY KAHANE (ON HER OWN BEHALF AND AS ADMINISTRATRIX OF THE ESTATE OF THE LATE MEIR KAHANE), ETHEL J. GRIFFIN (AS ADMINISTRATRIX OF THE ESTATE OF THE LATE BINYAMIN KAHANE), NORMAN KAHANE (ON HIS OWN BEHALF AND AS EXECUTOR OF THE ESTATE OF THE LATE SONIA KAHANE) and CIPORAH KAPLAN,

Third-Party Defendants.

I, Suzelle M. Smith, declare as follows:

1. I am a partner with the law firm of Howarth & Smith, and I am counsel for Plaintiffs Mr. Jeremy Levin and Dr. Lucille Levin (“Plaintiffs” or “the Levins”). I am counsel of record for the Plaintiffs in the matter of *Levin v. The Bank of New York Mellon, et al*, Case No. 09 Civ. 5900 (JPO).

2. I was admitted to the New York bar on July 13, 2016 and I am a member in good standing of the New York bar. I was admitted to practice in the United States District Court, Southern District of New York on March 21, 2017, and I am a member in good standing. I was admitted to the State of California bar in 1984, and I am a member in good standing of the State of California bar. I am an elected Fellow and Board member of the International Academy of Trial Lawyers, an elected Fellow of the International Society of Barristers, the American Bar Foundation, and of the American Board of Trial Advocates. I am a member of the Board of Trustees of the University of Virginia Law School. I am also a Lecturer in Law and a Visiting Fellow of Lady Margaret Hall, Oxford University.

3. I make this declaration in support of Plaintiffs’ Motion for Summary Judgment with respect to the Tajideen Blocked Asset. The facts stated below are based on my personal knowledge or my review of and/or familiarity with prior filings and proceedings in this action.

4. The Levins hold money judgments in the total amount of \$28,807,719 entered against the Islamic Republic of Iran, the Iranian Ministry of Information and Security, and the Iranian Islamic Revolutionary Guard Corp (collectively “Iran”).

5. The Levins’ judgment was entered by the U.S. District Court for the District of Columbia on February 6, 2008, and thereafter registered in this Court pursuant to 28 U.S.C. § 1963 (2009) as Docket Number M18-302.

6. The Levins have collected on a number of Iranian Blocked Assets, however the Levins' Judgment against Iran is not fully satisfied. The remaining uncollected amount of the Levins' judgment is well in excess of the amount of the Tajideen Blocked Asset.

7. The Levin Judgment Creditors initiated this action by filing a Complaint in this Court on June 26, 2009, against Citibank, The Bank of New York Mellon, Société Générale, and JPMorgan Chase Bank, N.A. (collectively, the "NY Banks"). *See* Dkt. 1099 at 2; Dkt. 70.

8. The Levins, the Heiser Judgment Creditors, the Greenbaum Judgment Creditors, and the Acosta Judgment Creditors ("Levin Sharing Group") entered into an agreement to share recoveries on particular blocked assets ("Phase One Assets") rather than contest priority. Pursuant to this agreement, on June 30, 2011, the Levins dismissed their appeal of this Court's order regarding priority to the Second Circuit. *See* Dkts. 342, 415.

9. The agreement among the Levin Sharing Group has terminated now that the specific assets described therein have been recovered or abandoned.

10. On November 29, 2016, the Levins served Interrogatories on JPMorgan Chase Bank, N.A. ("JPMorgan").

11. JPMorgan served responses to the Levins' Interrogatories on January 12, 2017. *See* Dkt. 1136 at 9, 12.

12. JPMorgan's responses to the Levins' Interrogatories served on January 12, 2017 disclosed the existence of additional Iranian Blocked Assets which had not been previously disclosed to the Levins, including the single asset at issue the "Tajideen Blocked Asset." *See* Dkt. 1099-1 at 36.

13. The Levins obtained a Court-Ordered Writ of Execution as to the Tajideen Blocked Asset on June 12, 2017.

14. On June 13, 2017, the Levins delivered the Writs of Execution to the United States Marshal for Service on Southern District of New York for service and levy upon JPMorgan.

15. On or about June 19, 2017, the U.S. Marshal served JPMorgan with this Court-Ordered Writ of Execution. *See* Dkt. 1136 at 12.

16. The Levins have also served additional Court-ordered Writs of Execution as to other specific assets on the New York banks in this action, including JPMorgan, over the years. On or about June 19, 2009, the Levins served a Writ of Execution issued by the clerk of this Court on the U.S. Marshal for the Southern District of New York for service on JPMorgan. *See* Dkt. 70 at ¶ 28.

17. Of all the third-party Judgment Creditors who were served with the interpleader complaint, only the Gill and the Greenbaum and Acosta Judgment Creditors have filed an answer to the Third-Party Complaint in Interpleader claiming an interest in the Tajideen Blocked Asset and not filed a stipulation disclaiming any interest in the Tajideen Blocked Asset. *See* Dkts. 1167, 1162.

18. Having checked the public filings, it appears that the Levins are the only judgment holders to have begun an action on the Tajideen Blocked Asset within 90 days of the service of the writs on the U.S. Marshal as required.

19. Exhibit 1, attached hereto, lists the third-parties served by JPMorgan with the Third-Party Interpleader Complaint, the date of service, which of those third-parties have disclaimed interest in the Tajideen Blocked Asset, and which those third-parties have filed Answers claiming an interest in the Tajideen Blocked Asset.

20. Attached hereto as Exhibit 2 is a true and correct copy of the Levins' Judgment

against Iran entered by the U.S. District Court for the District of Columbia on February 6, 2008.

21. Attached hereto as Exhibit 3 is a true and correct copy of the Certification of Judgment for Registration in Another District showing registration in this Court on April 20, 2009 pursuant to 28 U.S.C. § 1963 (2009) as Docket Number M18-302.

22. Attached hereto as Exhibit 4 is a true and correct copy of the Levins' Court-Ordered Writ of Execution as to the Tajideen Blocked Asset issued on June 12, 2017.

23. Attached hereto as Exhibit 5 is a true and correct copy of a letter sent by U.S. Marshal for the Southern District of New York to JPMorgan on June 15, 2017 enclosing a copy of the Levins' Writ of Execution as to the Tajideen Blocked Asset.

24. Attached hereto as Exhibit 6 is a true and correct copy of the process receipt and return completed by the U.S. Marshal for the Southern District of New York, showing service of the Levins' Writ of Execution as to the Tajideen Blocked Asset on JPMorgan on June 19, 2017.

25. Attached hereto as Exhibit 7 is a true and correct copy of the Levins' Writ of Execution issued on May 26, 2009.

26. Attached hereto as Exhibit 8 is a true and correct copy of the Levins' Court-Ordered Writ of Execution issued on August 23, 2011.

27. Attached hereto as Exhibit 9 is a true and correct copy of the Levins' Court-Ordered Writ of Execution issued on March 13, 2014. The included account information, which is not relevant to this motion, is reacted.

28. Attached hereto as Exhibit 10 is a true and correct copy of the Levins' Court-Ordered Writ of Execution issued on June 18, 2014. The included account information, which is not relevant to this motion, is reacted.

29. Attached hereto as Exhibit 11 is a true and correct copy of the spreadsheet of

blocked accounts received from JPMorgan in response to the Levins' November 29, 2016 Interrogatories. The account information is partially redacted to exclude the information which is not relevant to this motion.

30. Attached hereto as Exhibit 12 is a true and correct copy of the June 26, 2009 Complaint filed by the Levins in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 70.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records ("PACER") system located at <https://www.pacer.gov/>.

31. Attached hereto as Exhibit 13 is a true and correct copy of the December 31, 2009 Third-Party Complaint filed by the NY Banks in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York, which was filed publicly on February 1, 2010. [Dkt. No. 60.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records ("PACER") system located at <https://www.pacer.gov/>.

32. Attached hereto as Exhibit 14 is a true and correct copy of the partially redacted December 31, 2009 Third-Party Complaint filed by JPMorgan in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York, which was filed publicly on February 1, 2010. [Dkt. No. 61.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records ("PACER") system located at <https://www.pacer.gov/>.

33. Attached hereto as Exhibit 15 is a true and correct copy of the partially redacted December 31, 2009 Third-Party Complaint filed by Bank of New York Mellon in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York, which was filed publicly on February 1, 2010. [Dkt. No. 62.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

34. Attached hereto as Exhibit 16 is a true and correct copy of the filed publicly on February 1, 2010, in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 332.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

35. Attached hereto as Exhibit 17 is a true and correct copy of the partially redacted March 4, 2011 Opinion and Amended Order entered by this Court in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 342.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

36. Attached hereto as Exhibit 18 is a true and correct copy of the partially redacted June 7, 2011 Notice of Motion for Summary Judgment on Phase One Assets filed by the Levin Sharing Group in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United

States District Court for the Southern District of New York. [Dkt. No. 380.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

37. Attached hereto as Exhibit 19 is a true and correct copy of the partially redacted June 30, 2011 Order from this Court granting the Levin Sharing Group’s motion for partial summary judgment and turnover of Phase One Assets and directing turnover of funds entered in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 412.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

38. Attached hereto as Exhibit 20 is a true and correct copy of the August 10, 2011 Mandate of United States Court of Appeals for the Second Circuit granting the Levins’ motion to withdraw their appeal entered in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York on August 11, 2011. [Dkt. No. 415.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

39. Attached hereto as Exhibit 21 is a true and correct copy of the August 16, 2011 Order of this Court directing the Clerk of this Court to issue Writs of Execution in satisfaction of 28 U.S.C. § 1610(c) as to the Levins’ judgment against Iran entered in *Levin v. Bank of New*

York, et al. (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 416.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

40. Attached hereto as Exhibit 22 is a true and correct copy of the partially redacted August 29, 2012 notice of motion for partial summary judgment on Phase Two Assets filed by the Levin Sharing Group in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 763.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

41. Attached hereto as Exhibit 23 is a true and correct copy of the partially redacted September 12, 2013 notice of motion for partial summary judgment on turnover of blocked assets filed by the Levin Sharing Group in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 917.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

42. Attached hereto as Exhibit 24 is a true and correct copy of the partially redacted September 23, 2013 Order of this Court granting turnover of the Phase Two Blocked Assets entered in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 925.] This document was

obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

43. Attached hereto as Exhibit 25 is a true and correct copy of the partially October 10, 2013 Judgment and Order from this Court directing Turnover of the Phase Two Blocked Assets entered in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 936.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

44. Attached hereto as Exhibit 26 is a true and correct copy of the partially redacted October 31, 2013 Judgment and Order from this Court directing turnover of blocked assets entered in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 944.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

45. Attached hereto as Exhibit 27 is a true and correct copy of the partially redacted June 2, 2014 notice of motion for partial summary judgment on [redacted] blocked asset filed by the Levin Sharing Group in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 969.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court

Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

46. Attached hereto as Exhibit 28 is a true and correct copy of the partially redacted November 1, 2016 Judgment and Order from this Court Directing the Turnover of the [redacted] blocked asset entered in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1089.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

47. Attached hereto as Exhibit 29 is a true and correct copy of the April 18, 2017 Order of this Court directing the Clerk of this Court to issue Writs of Execution in satisfaction of 28 U.S.C. § 1610(c) entered in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1095.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

48. Attached hereto as Exhibit 30 is a true and correct copy of the June 20, 2017 notice of motion for leave to file supplemental complaint pursuant to F.R.C.P. 15(d) filed by the Levins in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1098.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

49. Attached hereto as Exhibit 31 is a true and correct copy of the June 20, 2017

memorandum of points and authorities in support of the Levins' motion for leave to file supplemental complaint pursuant to F.R.C.P. 15(d) filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1099.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records ("PACER") system located at <https://www.pacer.gov/>.

50. Attached hereto as Exhibit 32 is a true and correct copy of Exhibit 1 to the Levins' June 20, 2017 motion for leave to file supplemental complaint, the Levins' proposed supplemental complaint filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1099-1.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records ("PACER") system located at <https://www.pacer.gov/>.

51. Attached hereto as Exhibit 33 is a true and correct copy of the July 5, 2017 memorandum of law in response, and in partial opposition, to the Levins' motion for leave to file a supplemental complaint filed by JPMorgan in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1101.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records ("PACER") system located at <https://www.pacer.gov/>.

52. Attached hereto as Exhibit 34 is a true and correct copy of the July 5, 2017 declaration of Steven B. Feigenbaum in response, and in partial opposition, to plaintiffs' motion

for leave to file a supplemental complaint filed by JPMorgan in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1103.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

53. Attached hereto as Exhibit 35 is a true and correct copy of Exhibit A to the July 5, 2017 declaration of Steven B. Feigenbaum in response, and in partial opposition, to plaintiffs’ motion for leave to file a supplemental complaint, filed by JPMorgan in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1103-1.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

54. Attached hereto as Exhibit 36 is a true and correct copy of the October 27, 2017 Opinion and Order from this Court granting in part and denying in part the Levins’ motion for leave to file a supplemental complaint entered in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1106.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

55. Attached hereto as Exhibit 37 is a true and correct copy of the November 15, 2017 supplemental complaint pursuant to N.Y. C.L.P.R. § 5225 and Court order dated October 27,

2017 filed by the Levins in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1110.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

56. Attached hereto as Exhibit 38 is a true and correct copy of Exhibit D to the November 15, 2017 supplemental complaint pursuant to N.Y. C.L.P.R. § 5225 and Court order dated October 27, 2017 filed by the Levins in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1110-4.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

57. Attached hereto as Exhibit 39 is a true and correct copy of the Bennett and Khaliq Parties’ December 19, 2017 Stipulation and Order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1120.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

58. Attached hereto as Exhibit 40 is a true and correct copy of the John Doe December 20, 2017 stipulation and order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1121.]

This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

59. Attached hereto as Exhibit 41 is a true and correct copy of the Wamai and Amduso Parties’ December 20, 2017 stipulation and order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1122.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

60. Attached hereto as Exhibit 42 is a true and correct copy of the Petersons’ December 20, 2017 stipulation and order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1123.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

61. Attached hereto as Exhibit 43 is a true and correct copy of the Brown and Bland Parties’ December 21, 2017 stipulation and order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1125.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public

Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

62. Attached hereto as Exhibit 44 is a true and correct copy of the Murphys’ December 21, 2017 stipulation and order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1127.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

63. Attached hereto as Exhibit 45 is a true and correct copy of the Caballero December 22, 2017 stipulation and order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1129.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

64. Attached hereto as Exhibit 46 is a true and correct copy of the Owens and Mwila Parties’ December 22, 2017 stipulation and order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1130.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

65. Attached hereto as Exhibit 47 is a true and correct copy of the January 12, 2018

Answer to the Levins' supplemental complaint, counterclaim and third-party complaint in interpleader filed by JPMorgan in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1136.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records ("PACER") system located at <https://www.pacer.gov/>.

66. Attached hereto as Exhibit 48 is a true and correct copy of the January 31, 2018 declaration of Steven B. Feigenbaum of service on all Third-Party Defendants other than Kassim Tajideen filed by JPMorgan in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1144.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records ("PACER") system located at <https://www.pacer.gov/>.

67. Attached hereto as Exhibit 49 is a true and correct copy of the February 2, 2018 declaration of Steven B. Feigenbaum of service on Third-Party Defendant Kassim Tajideen filed by JPMorgan in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1146.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records ("PACER") system located at <https://www.pacer.gov/>.

68. Attached hereto as Exhibit 50 is a true and correct copy of the February 9, 2018 joint Answer to JPMorgan's third-party complaint in interpleader and counterclaim filed by the Greenbaum and Acosta Parties in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900)

before the United States District Court for the Southern District of New York. [Dkt. No. 1162.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

69. Attached hereto as Exhibit 51 is a true and correct copy of the February 23, 2018 Answer to JPMorgan’s third-party complaint in interpleader filed by Mati Gill in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1167.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

70. Attached hereto as Exhibit 52 is a true and correct copy of the March 2, 2018 Answer and Affirmative Defenses to JPMorgan’s Third-Party Complaint in interpleader filed by Alico Lebanon in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1172.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

71. Attached hereto as Exhibit 53 is a true and correct copy of Kassim Tajideen’s March 14, 2018 stipulation and order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset entered in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1174.] This document was obtained as it is kept and maintained in the ordinary course of business by

the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

72. Attached hereto as Exhibit 54 is a true and correct copy of the Goldberg-Botvin and Botvin Estate Parties’ December 21, 2017 stipulation and order regarding disclaimer of interest and discharge as to the Tajideen Blocked Asset filed in *Levin v. Bank of New York, et al.* (Case No. 1:09-cv-05900) before the United States District Court for the Southern District of New York. [Dkt. No. 1126.] This document was obtained as it is kept and maintained in the ordinary course of business by the Federal Judiciary, and is made available to the public online from the Public Access to Court Electronic Records (“PACER”) system located at <https://www.pacer.gov/>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 13th day of June 2018, in Los Angeles, California.

/s/ Suzelle M. Smith
Suzelle M. Smith